

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NATIONAL OILWELL VARCO, L.P.

Plaintiff,

v.

JULIO GARZA

Defendant.

Civil Action No. 4:22-CV-02006

[PROPOSED] ORDER DISMISSING DAMAGES CLAIMS

Came on to be heard Defendant Julio Garza's Partial Motion to Dismiss, filed pursuant to Fed. R. Civ. P. 12(b)(3), and having considered the Motion to Dismiss, and any responses and replies thereto, the Court orders as follows:

- 1) Plaintiff National Oilwell Varco, L.P.'s claims for money damages relative to Count 1 (fraud), Count 2 (fraud by nondisclosure), Count 5 (Texas Uniform Trade Secrets Act), Count 6 (Defend Trade Secrets Act), and Count 7 (Computer Fraud and Abuse Act) are dismissed; and
- 2) Plaintiff National Oilwell Varco, L.P.'s claims reflected in Count 3 (breach of contract), Count 4 (breach of fiduciary duty) are dismissed in their entirety.

IT IS SO ORDERED, this _____ day of _____, 2022.

**UNITED STATES DISTRICT COURT
HONORABLE LYNN N. HUGHES**